



JC06 Rec'd PCT/PTO 19 SEP 2005 PCT

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No: 10/539,476  
Applicant(s): Sosa, et al.  
Filed: June 20, 2005  
Title: Artificial Promoter for the Expression of DNA Sequences in Vegetal Cells  
TC/A.U.: Unassigned  
Examiner: Unassigned  
Docket: 976-26 PCT/US

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

I hereby certify this correspondence is being deposited  
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Patents, PO Box 1450, Alexandria, VA 22313-1450

on 9/15/05. Signature:

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In order to fulfill the requirements of candor and good faith set forth in the 37 C.F.R. §1.56, Applicant submits herewith the following Information Disclosure Statement in accordance with the provisions of 37 C.F.R. §1.97 and §1.98.

**UNITED STATES PATENTS**

| <b><u>PATENTEE</u></b> | <b><u>PATENT NO.</u></b> | <b><u>ISSUE DATE</u></b> |
|------------------------|--------------------------|--------------------------|
| Ellis, et al.          | 5,837,849 A              | November 17, 1998        |
| Schell, et al.         | 5,859,331 A              | January 12, 1999         |
| Michiels, et al.       | 6,372,960 B1             | April 16, 2002           |
| Mettler, et al.        | 6,437,223 B1             | August 20, 2002          |

**UNITED STATES APPLICATION**

**APPLICANT**

Hohn, et al.

**APPLICATION NO.**

US 2002/162136 A1

**FILING DATE**

October 31, 2002

**FOREIGN PATENT DOCUMENTS**

**COUNTRY**

PCT

**PUBLICATION NO.**

WO 91/09948 A

**PUBLICATION DATE**

July 11, 1991

PCT

WO 99/43838 A

September 2, 1999

Each of the above references were listed in the International Search Report issued in the corresponding International Application. A copy of the International Search Report accompanies this IDS.

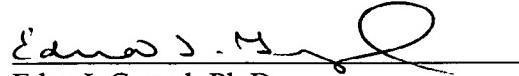
Copies of the cited references should have been provided by the International Searching Authority. Upon receipt of a Notification of Acceptance of Application indicating what items have been received by the Patent and Trademark Office, Applicant will review the same to ensure that the references were provided.

A separate listing of all the references has been set forth on the enclosed form PTO-1449. The Examiner is respectfully requested to consider these references in their entirety, and to indicate that he or she has done so by initialing the enclosed Patent and Trademark Office Form 1449.

If the Examiner has any questions relating to the present communication he or she is invited to contact Applicant's agent at the telephone number set forth below.

Applicant does not believe that any fees are due. However, if any fees are due, please charge Deposit Account No. 08-2461.

Respectfully submitted,

  
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| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE<br>(Rev. 2-32) PATENT AND TRADEMARK OFFICE |  | ATTY. DOCKET NO.<br>976-26 PCT/US | SERIAL NO.<br>10/539,476       |
| INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT                                     |  | APPLICANT<br>Sosa, et al.         | CONFIRMATION NO.<br>Unassigned |
| (Use several sheets if necessary)  |  | FILING DATE<br>June 20, 2005      | GROUP<br>Unassigned            |

## U.S. PATENT PUBLICATIONS

| EXAMINER INITIAL |  | DOCUMENT NUMBER | DATE          | NAME         | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|------------------|--|-----------------|---------------|--------------|-------|-----------|----------------------------|
|                  |  | 2002/162136 A1  | Oct. 31, 2002 | Hohn, et al. |       |           |                            |

## U.S. PATENT DOCUMENTS

| EXAMINER INITIAL |  | DOCUMENT NUMBER | DATE           | NAME             | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|------------------|--|-----------------|----------------|------------------|-------|-----------|----------------------------|
|                  |  | 5,837,849 A     | Nov. 17, 1998  | Ellis, et al.    |       |           |                            |
|                  |  | 5,859,331 A     | Jan. 12, 1999  | Schell, et al.   |       |           |                            |
|                  |  | 6,372,960 B1    | April 16, 2002 | Michiels, et al. |       |           |                            |
|                  |  | 6,437,223 B1    | Aug. 20, 2002  | Mettler, et al.  |       |           |                            |

## FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL |  | DOCUMENT NUMBER | DATE          | COUNTRY | CLASS | SUB CLASS | TRANSLATION |
|------------------|--|-----------------|---------------|---------|-------|-----------|-------------|
|                  |  | WO 91/09948 A   | July 11, 1991 | PCT     |       |           | YES NO      |
|                  |  | WO 99/43838 A   | Sept. 2, 1999 | PCT     |       |           |             |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.